

10.

JFW

UNITED STATES DISTRICT COURT

Middle District of North Carolina

KAPLAN EARLY LEARNING
COMPANY,

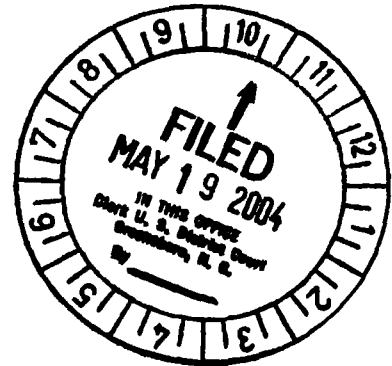
Plaintiff,

v.

MIDBAR KODESH TEMPLE, RED
APPLE LEARNING CENTER, LLC,
DENISE SCHNITZER and KAREN
MARANO,

Defendants.

#1:03CV714



J-U-D-G-M-E-N-T

On April 12, 2004, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636(b). No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

IT IS HEREBY ORDERED AND ADJUDGED that Plaintiff's notice of voluntary dismissal [docket no. 4] be stricken as improvidently filed, and that Defendant Midbar Kodesh Temple's motion for remand to Forsyth County Superior Court [docket no. 5-1] be **GRANTED**.¹

[Signature]
United States District Judge

May 19, 2004

¹ The Recommendation incorrectly noted that the motion to remand was filed by Plaintiff. In fact, the motion was filed by Defendant Midbar Kodesh Temple.